

Tracy
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 794*

House Bill No. 1335

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 8, Part 1, is amended by adding a new section thereto, as follows:

Section ____.

(a) Any person who violates the provisions of Sections 55-8-128, 55-8-129, 55-8-130 or 55-8-131 by failing to yield the right of way as provided in such statutes and such violation results in an accident resulting in serious bodily injury to or death of any person shall be guilty of a misdemeanor.

(b) For the purposes of this section, serious bodily injury means:

(1) Substantial risk of death;

(2) Serious disfigurement; or

(3) Protracted loss or impairment of the function of any bodily member, organ or mental faculty.

(c)

(1) A violation of subsection (a) is a Class B misdemeanor punishable by a fine of two hundred and fifty dollars (\$250) if the accident results in serious bodily injury of another.

(2) A violation of subsection (a) is a Class A misdemeanor punishable by a fine of five hundred dollars (\$500) if the accident results in the death of another.

(d) Any sentence imposed for a violation of this section shall be served consecutively to any sentence imposed for the violation of any other provision of law arising from the same conduct that resulted in the accident.

(e) The court shall send the department a record of any of the convictions of any of the sections indicated in subsection (a). The court shall indicate on such record or abstract whether the violation resulted in serious bodily injury of another or death of another.

(f) Upon conviction, the court may revoke the license or permit to drive and any non-resident operating privilege of a person convicted under this section for a period of up to six (6) months if the accident results in serious bodily injury of another and up to one (1) year if the accident results in death of another.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.